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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672.900	09/26/2003	Timothy Croy	920673-94866	9183

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BARNES & THORNBURG LLP
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EXAMINER

JEAN, FRANTZ B

ART UNIT	PAPER NUMBER
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2151

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/20/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/672,900

Applicant(s)

CROY ET AL.

Examiner

Frantz B. Jean

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner..
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

This office action is in response to application for patent filed on 09/26/03. Claims 1-19 are presented for examination.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The claimed invention is directed to non-statutory subject matter. Claim 19 recites a computer program product comprising computer code. The claim is non-statutory as not being tangibly embodied in a manner so as to be executable. Correction is required.

During patent examination, the pending claims have been "given their broadest reasonable interpretation consistent with the specification." The Federal Circuit's en banc decision in *Phillips v. AWH Corp.*, 415 F.3d 1303, 75 USPQ2d 1321 (Fed. Cir. 2005).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Page et al. (hereinafter Page) US patent Number 7,024,476.

As per claim 1, Page teaches a proxy agent (fig 2 and 5, element 29) for communicating data components between a first system which supports a first protocol and a second system which supports a second protocol, said first and second protocols being mutually incompatible (see abstract; col. 4 lines 45-64), the proxy agent comprising a directory for storing said data components wherein each data component stored in said directory is associated with a first data component identifier which is compatible with said first protocol, and with a second data component identifier which is compatible with said second protocol (fig 5, col. 8 lines 50-54; col. 11 lines 49 et seq; col. 14 line 54 to col 15 line 31; col. 17 lines 33-38).

As per claim 2, Page teaches a proxy agent as claimed in claim 1, further including a first protocol handler arranged to communicate with said first system using said first protocol, and a second protocol handler arranged to communicate with said second system using said second protocol, wherein said first protocol handler is arranged to send data components to, and/or receive data components from, said directory using said first data component identifier, and said second protocol handler is arranged to send data components to, and/or receive data components from, said directory using said second data component identifier (fig 5, element 64; col. 11 line 49 to col. 12 line 14).

As per claim 3, Page teaches a proxy agent as claimed in claim 1, in which the directory supports a hierarchical data structure in which each stored data component is associated with a respective position in the hierarchical data structure (fig 4-5).

As per claim 4, Page teaches a proxy agent as claimed in claim 3, wherein said respective first data component identifiers support a hierarchical structure and serve to identify the respective position of the respective data component in the hierarchical data structure (col. 11 lines 49 et seq; col. 14 line 54 to col 15 line 31; col. 17 lines 33-38).

As per claim 5, Page teaches a proxy agent as claimed in claim 4, wherein said data components are arranged into directory entities within the directory, each directory entity comprising a one or more directory entries, each directory entry comprising a respective data component, a respective first data component identifier and a respective second data component identifier (abstract, col. 5 lines 30-62; col 12 lines 31-51).

As per claim 6, Page teaches a proxy agent as claimed in claim 5, wherein each data component within a directory entity belongs to the same branch of the hierarchical data structure (abstract, col. 5 lines 30-62; col 12 lines 31-51).

As per claim 7, Page teaches a proxy agent as claimed in claim 5, wherein each directory entity is associated with a first directory entity identifier which is compatible with said first protocol and with a second identifier which is compatible with said second

protocol (abstract, col. 5 lines 30-62; col 12 lines 31-51).

As per claim 8, Page teaches proxy agent as claimed in claim 7, in which said respective first directory entity identifiers support a hierarchical structure (abstract, col. 5 lines 30-62; col 12 lines 31-51).

As per claim 9, Page teaches a proxy agent as claimed in claim 7, in which each of said first directory entity identifiers belongs to a branch of the hierarchical data structure that is one hierarchical level above the branch to which the respective data components in the respective directory entity belong (col 12 lines 31-51).

As per claim 10, Page teaches a proxy agent as claimed in claim 5, in which a respective schema is provided to define each type of directory entity and wherein a respective directory entry is created by populating a respective schema with one or more data components (col 12 lines 31-51).

As per claim 11, Page teaches a proxy agent as claimed in claim 1, wherein said first protocol supports a hierarchical data structure (see col. 4 lines 45-64).

As per claim 12, Page teaches a proxy agent as claimed in claim 1, wherein said first and second protocol each comprise a respective network management protocol (see col. 4 line 45 to col. 5 line 29).

As per claim 13, Page teaches a proxy agent as claimed in claim 1, wherein said first protocol comprises Simple Network Management Protocol (SNMP) (see fig 2).

As per claim 14, Page teaches a proxy agent as claimed in claim 1, wherein said first system comprises a Network Management system (NMS) and said second system comprises a network element (see fig 2).

As per claim 15, Page teaches a proxy agent as claimed in claim 14, wherein said proxy agent effects communication between said Network Management system and a plurality of network elements, at least some of said network elements supporting said second protocol (see fig 2 and 5).

As per claim 16, Page teaches a proxy agent as claimed in claim 1, wherein said directory comprises a directory which supports Lightweight Directory Access Protocol (LDAP) (see fig 5).

As per claim 17, it contains the same limitations as discussed in claim 1 above.
Therefore, it is rejected accordingly.

As per claims 18 and 19, Page teaches a method and computer program product for communicating data components between said first system which supports a first

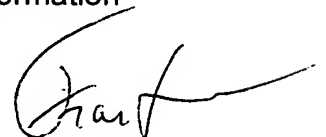
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protocol and a second system which supports a second protocol, said first and second protocols being mutually incompatible (col. 4 line 45 to col. 5 line 29, said method comprising storing said data components in a directory wherein each data component stored in said directory is associated with a first data component identifier which is compatible with said first protocol, and with a second data component identifier which is compatible with said second protocol (fig 5, col. 8 lines 50-54; col. 11 lines 49 et seq; col. 14 line 54 to col 15 line 31; col. 17 lines 33-38).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz B. Jean whose telephone number is 571-272-3937. The examiner can normally be reached on 8:30-6:00 M-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571 272 3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



FRANTZ B. JEAN
PRIMARY EXAMINER